

AMENDED IN SENATE APRIL 19, 2005

AMENDED IN SENATE APRIL 4, 2005

**SENATE BILL**

**No. 404**

**Introduced by Senator Migden**

February 17, 2005

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An act to ~~amend Section 44262 of~~ amend Section 44320.2 of, and to add and repeal Section 44259.6 of, the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

SB 404, as amended, Migden. Teachers: mid-career credential.

*(1) Existing law authorizes the Commission on Teacher Credentialing to issue an eminence credential to any person who has achieved eminence in a field of endeavor taught or service practiced in the public schools of California. This credential authorizes teaching or the performance of services in the public schools in the subject, subject area, or service, and at the level or levels, approved by the commission as designated on the credential.*

*This bill would require the commission, upon the recommendation of the governing board of a school district, to issue a 2-year subject matter certificate to any person whose knowledge and expertise in a subject area are demonstrated and verified by possession of a baccalaureate degree, basic skills proficiency, subject matter competence, and experience. The subject matter certificate would authorize the holder to be employed by the recommending school district as a mid-career teacher. The governing board of the school district electing to recommend a person for a subject matter certificate would be required to enroll candidates in a preservice training program that is aligned with the California Standards for the Teaching Profession and would require the candidate to complete the*

*preservice training program before providing classroom instruction. The recommending governing board would also be required to develop and implement a professional development for the candidate and to administer the teacher performance assessment. Upon the recommendation of the governing board of a school district, the holder of a subject matter certificate who fulfills certain requirements and renders 2 years of teaching service would be issued a professional single subject teaching credential. The bill would require the commission to report to the Legislature by February 1, 2007, and annually thereafter, on the number of certificates issued in each subject, the retention rates of teachers receiving a subject matter certificate, the extent to which individualized development plans are aligned to the standards and teaching performance expectations adopted by the commission and recommendations for improvement to this program.*

*(2) Existing law requires that each candidate for a preliminary multiple or single subject teaching credential be assessed during the normal term or duration of the candidate's professional preparation program.*

*This bill would authorize the teaching performance assessment to be administered at any time during the program of professional preparation and would state that successful passage of the teaching performance assessment satisfies the requirement that a program of professional preparation be completed prior to obtaining a preliminary multiple or single subject teaching credential.*

~~Existing law authorizes the Commission on Teacher Credentialing, upon the recommendation of the governing board of a school district, to issue an eminence credential, as provided, to any person who has achieved eminence in a field of endeavor commonly taught in the public schools.~~

~~This bill would instead require the commission, upon the recommendation of the governing board of a school district, to issue a mid-career credential to a mid-career professional, provided that the person has met the guidelines set forth by the governing board of the school district.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 44262 of the Education Code is~~  
2     ~~amended to read:~~

3     *SECTION 1. Section 44259.6 is added to the Education Code,*  
4     *to read:*

5     44259.6. (a) *Notwithstanding any other provision of law,*  
6     *except Sections 44339, 44340, and 44341, the governing board*  
7     *of a school district may employ as a teacher an individual who is*  
8     *issued a mid-career subject matter certificate pursuant to this*  
9     *section if the school district submits a declaration of need to the*  
10    *commission and complies with this section. An individual to*  
11    *whom a mid-career subject matter certificate is issued pursuant*  
12    *to this section may earn a single subject teaching credential, but*  
13    *not a multiple subjects teaching credential, by fulfilling all the*  
14    *requirements of this section.*

15    (b) *Upon the recommendation of the governing board of a*  
16    *school district, the commission shall issue a two-year subject*  
17    *matter certificate to any person recommended by the governing*  
18    *board of a school district who displays knowledge and expertise*  
19    *in a subject area as demonstrated by documentation submitted by*  
20    *the governing board of the school district verifying that the*  
21    *person has all the following:*

22    (1) *Possession of a baccalaureate degree conferred by a*  
23    *regionally accredited institution of postsecondary education.*

24    (2) *Basic skills proficiency as measured by passing the test*  
25    *adopted under Section 44252.*

26    (3) *Subject matter competence established by successfully*  
27    *completing the appropriate subject matter examination*  
28    *administered by the commission pursuant to Article 5*  
29    *(commencing with Section 44280) and who is considered a*  
30    *highly qualified teacher pursuant to the federal No Child Left*  
31    *Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).*

32    (4) *A minimum of three years of professional experience*  
33    *associated with the subject area in which the individual will*  
34    *teach.*

35    (c) *A one-year extension of the subject matter certificate may*  
36    *be requested from the commission by the governing board of a*  
37    *school district if the candidate needs additional time to*  
38    *successfully complete the professional development plan and*

1 *experience requirements. The governing board shall provide*  
2 *documentation of the progress made by the candidate toward*  
3 *completion of the professional development plan and experience*  
4 *requirements.*

5 *(d) The governing board of a school district electing to*  
6 *recommend a person for the subject matter certificate shall do*  
7 *the following:*

8 *(1) Enroll the candidate for the subject matter certificate in a*  
9 *preservice training program for a minimum of 40 hours of*  
10 *pedagogical training that is aligned with the California*  
11 *Standards for the Teaching Profession. A candidate for the*  
12 *subject matter certificate shall complete this training before*  
13 *providing classroom instruction. The preservice training*  
14 *program shall include the following:*

15 *(A) Preparation in classroom management and organization.*

16 *(B) Grade-level curriculum content and instructional models*  
17 *and strategies.*

18 *(C) Pupil assessment practices.*

19 *(D) Literacy development in the subject to be authorized on*  
20 *the certificate.*

21 *(E) Equity, access, and diversity training.*

22 *(F) Appropriate instructional strategies for English language*  
23 *learners and pupils with special needs.*

24 *(2) Develop and implement a professional development plan,*  
25 *to address the specific needs of the candidate. The professional*  
26 *development plan shall consist of a minimum of 40 hours of*  
27 *annual study in areas including, but not limited to, those*  
28 *specified in paragraph (1). The professional development plan*  
29 *shall meet the program design, governance, and quality*  
30 *standards and teaching performance expectations adopted*  
31 *pursuant to Section 44320.2 and shall be submitted by the school*  
32 *district to the commission for review. The professional*  
33 *development plan shall include all of the following:*

34 *(A) An annual evaluation of the candidate by the evaluation*  
35 *process in effect in the district.*

36 *(B) As the governing board of the school district determines*  
37 *necessary, a description of courses to be completed by the*  
38 *candidate, if any, and a plan for the completion of preservice or*  
39 *other clinical training, if any, including student teaching.*

1     (3) *Administer the teaching performance assessment in*  
2     *accordance with Section 44320.2.*

3     (e) *Upon the recommendation of the governing board of a*  
4     *school district, the commission shall issue a professional single*  
5     *subject teaching credential, provided the candidate has*  
6     *successfully met the requirements of subdivision (d) and*  
7     *rendered two years of teaching service under a subject matter*  
8     *certificate.*

9     (f) *The commission shall report to the Legislature by February*  
10    *1, 2007, and annually thereafter, on the following:*

11    (1) *The number of subject matter certificates issued in each*  
12    *subject specified in subdivision (a).*

13    (2) *The retention rates of candidates who receive a subject*  
14    *matter certificate.*

15    (3) *The extent to which the individualized development plans*  
16    *are aligned to the standards and teaching performance*  
17    *expectations adopted by the commission pursuant to Section*  
18    *44320.2.*

19    (4) *Recommendations for improvements to the subject matter*  
20    *certificate program.*

21    (g) *This section shall remain in effect only until January 1,*  
22    *2015, and as of that date is repealed unless a later enacted*  
23    *statute that is enacted before January 1, 2015, deletes or extends*  
24    *that date.*

25    SEC. 2. *Section 44320.2 of the Education Code is amended to*  
26    *read:*

27    44320.2. (a) The Legislature finds and declares that the  
28    competence and performance of teachers are among the most  
29    important factors in influencing the quality and effectiveness of  
30    education in elementary and secondary schools.

31    (b) For a program of professional preparation to satisfy the  
32    requirements of paragraph (3) of subdivision (b) of Section  
33    44259, the program shall include a teaching performance  
34    assessment that is aligned with the California Standards for the  
35    Teaching Profession and that is congruent with state content and  
36    performance standards for pupils adopted pursuant to subdivision  
37    (a) of Section 60605. In implementing this requirement,  
38    institutions or agencies may do the following:

39    (1) Voluntarily develop an assessment for approval by the  
40    commission. Approval of any locally developed performance

1 assessment shall be based on assessment quality standards  
2 adopted by the commission, which shall encourage the use of  
3 alternative assessment methods including portfolios of teaching  
4 artifacts and practices.

5 (2) Participate in an assessment training program for assessors  
6 and implement the commission developed assessment.

7 (3) Request that the commission conduct the performance  
8 assessment for its candidates.

9 (c) The performance assessment shall not be incorporated into  
10 professional preparation programs without streamlining the  
11 existing teacher credential requirements. The commission shall  
12 implement the performance assessment in a manner that does not  
13 increase the number of assessments required for teacher  
14 credential candidates prepared in this state. Each candidate shall  
15 be assessed during the normal term or duration of the candidate's  
16 preparation program as provided by law.

17 (d) Subject to the availability of funds in the annual Budget  
18 Act, the commission shall perform the following duties with  
19 respect to the performance assessment:

20 (1) Assemble and convene an expert panel to advise the  
21 commission about performance standards and developmental  
22 scales for teaching credential candidates and the design, content,  
23 administration, and scoring of the assessment. Not fewer than  
24 one-third of the panel members shall be classroom teachers in  
25 California public schools.

26 (2) Design, develop, and implement assessment standards and  
27 an institutional assessor training program for the sponsors of  
28 professional preparation programs to use if they choose to use the  
29 commission developed assessment.

30 (3) Design, develop, adopt, administer, and score the  
31 assessment for candidates that request direct administration of  
32 the assessment by the commission.

33 (4) Establish a review panel to examine each assessment  
34 developed by an institution or agency in relation to the standards  
35 set by the commission and advise the commission regarding  
36 approval of each assessment system.

37 (5) Initially and periodically analyze the validity of assessment  
38 content and the reliability of assessment scores that are  
39 established pursuant to this section.

1 (6) Establish and implement appropriate standards for  
2 satisfactory performance in assessments that are established  
3 pursuant to this section. The commission shall ensure that oral  
4 proficiency in English is a criterion for scoring each candidate's  
5 performance in each assessment.

6 (7) Analyze possible sources of bias in the performance  
7 assessment and act promptly to eliminate any bias that is  
8 discovered.

9 (8) Collect and analyze background information provided by  
10 candidates who participate in the performance assessment, and  
11 report and interpret the individual and aggregated results of the  
12 assessment.

13 (9) Examine and revise, as necessary, the institutional  
14 accreditation system pursuant to Article 10 (commencing with  
15 Section 44370), for the purpose of providing a strong assurance  
16 to teaching candidates that ongoing opportunities are available in  
17 each credential preparation program that is offered pursuant to  
18 Section 44320, Article 6 (commencing with Section 44310),  
19 Article 7.5 (commencing with Section 44325), or Article 3  
20 (commencing with Section 44450) of Chapter 3 for candidates to  
21 acquire the knowledge, skills, and abilities measured by the  
22 assessment system.

23 (10) Ensure that the aggregated results of the assessment for  
24 groups of candidates who have completed a credential program  
25 are used as one source of information about the quality and  
26 effectiveness of that program.

27 (e) The commission shall ensure that each performance  
28 assessment pursuant to subdivision (b) is aligned with the  
29 California Standards for the Teaching Profession. To the  
30 maximum feasible extent, each performance assessment shall be  
31 ongoing and blended into the preparation program, and shall  
32 produce the following benefits for credential candidates,  
33 sponsors of preparation programs, and local education agencies  
34 that employ program graduates:

35 (1) The performance assessment shall be designed to provide  
36 formative assessment information during the preparation  
37 program for use by the candidate, instructors, and supervisors for  
38 the purpose of improving the candidate's teaching knowledge,  
39 skill, and ability.

(2) The performance assessment results shall be reported so that they may serve as one basis for a recommendation by the program sponsor that the commission award a teaching credential to a candidate who has successfully met the performance assessment standards.

(3) The formative assessment information pursuant to paragraph (1) and the performance assessment results pursuant to paragraph (2) shall be reported so that they may serve as one basis for the new teacher's individual induction plan pursuant to Section 44279.2.

(f) The teaching performance assessment that is offered in accordance with paragraph (3) of subdivision (b) shall be subject to Sections 44235.1 and 44298. Assessments in accordance with paragraphs (1) and (2) of subdivision (b), including the commission's administrative costs, shall be subject to the annual Budget Act.

*(g) The teaching performance assessment may be administered at any time during a professional preparation program. Successful passage of the teaching performance assessment shall satisfy the requirements of paragraph (3) of subdivision (b) of Section 44259.6.*

~~44262. (a) Upon the recommendation of the governing board of a school district, the commission shall issue a mid-career credential to a mid-career professional to teach in his or her subject area, provided that the person has met the guidelines set forth by the governing board of the school district. This credential shall authorize teaching or the performance of services in the public schools of the school district in the subject or subject area or service and at the level or levels approved by the commission as designated on the credential.~~

~~(b) A mid-career credential issued by the commission pursuant to subdivision (a) shall be issued initially for a two-year period and may be renewed for a three-year period by the commission upon the request of the governing board of the school district. Upon completion of the three-year renewal period, the holder of a mid-career credential shall be eligible upon application for a professional clear teaching credential.~~